IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 199 OF 2005

Mahendra Balkrishna Borhade ..Applicant.

V/s.

Mrs. Malati Mahendra Borhade & Anr. ..Respondents.

Shri P.P. Hudlikar for the Applicant.
Mrs. Shilpa Joshi for Respondent No.1.
Shri K.V. Saste, APP for Respondent No.2 -State.

CORAM : A.M.KHANWILKAR, J.
DATED : FEBRUARY 07,2005.

PC :-

1. Heard counsel for the parties.

2. Rule. Rule made returnable forthwith by consent. Mrs. Shilpa Joshi waives notice for respondent No.1. Shri K.V.Saste, APP waives notice for respondent No.2. As short question is involved, the petition is taken up for final hearing by consent.

3. Respondent No.1 has initiated criminal action against the applicant for offence punishable under sections 498-A, 323, 504, 506 r/w. section 34 of I.P.Code, which is stated to be pending before the

court of J.M.F.C., IIIrd Court at Kalyan being criminal case No. 126/ 2004. During the pendency of this proceedings, the parties have amicably settled all disputes between them. In view of this development Respondent No.1 has agreed that she has no intention to pursue the criminal action against the applicant. That statement is made on affidavit before this court. Besides, Respondent No.1 is personally present in the court and accepts this position. If it is so, in the interest of justice, this application ought to succeed in terms of prayer clause (a).

. Ordered accordingly.

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